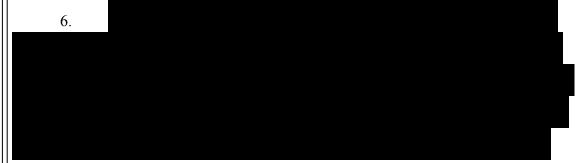
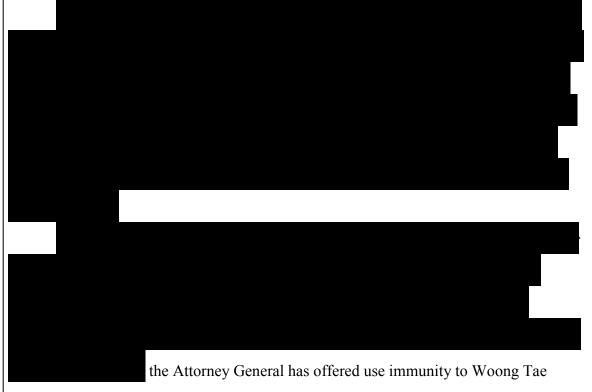
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9	Attorneys for State of California et al.	
0	VINVEND GELENDED	ACTION OF COMPA
1	UNITED STATES D	DISTRICT COURT
	NORTHERN DISTRICT OF CALIFORNIA	
2	SAN FRANCISCO DIVISION	
3	IN RE: CATHODE RAY TUBE (CRT)	Master File No. 3:07-cv-05944-SC
4	ANTITRUST LITIGATION,	MDL No. 1917
15		REDACTED DECLARATION OF
6	This Documents Relates To:	EMILIO E. VARANINI IN SUPPORT OF THE ADMINISTRATIVE
7	ALL ACTIONS	MOTION FOR ORDER ISSUING
8		LETTERS OF REQUEST FOR TAKING OF EVIDENCE FROM
		WOONG TAE(W.T.) KIM AND
9		MYUNG JOON (M.J.) KIM OF THE REPUBLIC OF KOREA
20		
21		
22	1. I am a Deputy Attorney General with the California Attorney General's	
23	Office and am lead counsel for the California Attorney General in the state court case of	
23	State of California et. al. v. Samsung SDI, Co., Ltd., Case No. 11-51584 (California	
25	Superior Court, San Francisco). This case has been coordinated with this Court's MDL	
	No. 1917 for purposes of fact and expert discovery as well as mediation and settlement. I	
26	am admitted to this Court and could, if called as a witness, testify competently to the	
27		
28	DECLARATION OF EMILIO E. VARANINI 1	MASTER FILE NO. CV 07-5944 SC

matters set forth herein. I make this declaration under penalty of perjury under the laws of the United States and the State of California.

- 2. Besides this case, I have led other international price-fixing and unfair competition cases involving the State of California. I also have an extensive background on international antitrust and related issues involving the European Union and China as well as some knowledge of those same issues involving both the Republic of Korea and Japan.
- 3. The Attorney General has alleged the existence of an international pricefixing conspiracy with multilateral and bilateral meetings taking place in Asia and Europe..
- 4. The Korean Fair Trade Commission found that this global CRT price-fixing cartel violated its antitrust laws and fined some of the companies that are Defendants in our case. A true and accurate copy of a certified translation of the decision of the Korean Fair Trade Commission is attached hereto to this Declaration as Exhibit 1.
- 5. The allegations of the California Attorney General and other Plaintiffs, as supported by the findings of the Korean Trade Commission and other antitrust authorities, necessitate deposing current and former European and Asian employees of the Defendants who may have knowledge of these meetings during the relevant time period of 1995 to 2007.



- 7. LG does not object to this motion or to the issuance of these two Letters of Request to take evidence from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim.
- 8. LG has provided the Office of the Attorney General with the addresses for Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim in the Republic of Korea and that information is set out in the proposed Letters of Request. It is required under the laws of the Republic of Korea that a letter of request issue out of, and under the seal of, this Court for testimony to be taken from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim. But under the laws of the Republic of Korea, Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim are not obligated to appear, and if they refuse to appear or give evidence, they would not incur any penalty of any kind in the State where the proceedings are instituted.



(W.T.) Kim and Myung Joon (M.J.) Kim for any testimony they may give in the

1 Republic of Korea in response to her questions, should the appropriate Korean judicial 2 authorities ask those questions, or questions asked by those appropriate Korean judicial 3 authorities themselves, as she is empowered to do under California's antitrust laws, the 4 Cartwright Act. See Cal. Bus. & Prof. Code §16758. It is anticipated that this offer not 5 only will aid in obtaining the voluntary testimony of Woong Tae (W.T.) Kim and Myung 6 Joon (M.J.) Kim but also will aid in obtaining the consent of the Republic of Korea to 7 this deposition. Should the letters of request be served by the Korean Central Authority, 8 and the pertinent Korean judicial authorities consent to asking our questions, we will 9 make every reasonable effort to ask questions that the other Plaintiffs' groups would wish 10 us to ask. We will also recommend to the relevant Korean authorities that either (a) 11 questions, if any, propounded by Defendants to these witnesses be asked and/or (b) that 12 Defendants be given an opportunity to cross-examine these witnesses, as those authorities 13 may determine is appropriate. 14 11. The request made to this Court through the filing of a motion under Civil 15 Local Rule 7.11 is an urgent one: the letters of request, if executed by this Court, must be 16 promptly delivered to the relevant authorities in the Republic of Korea so that evidence 17 may be taken from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim before the cut-18 off of fact discovery on September 5, 2014. 19 20 Dated: May 12, 2014 Respectfully Submitted, 21 KAMALA D. HARRIS 22 Attorney General of California 23 s/Emilio E. Varanini 24 EMILIO E. VARANINI Deputy Attorney General 25 Attorneys for Plaintiffs 26 27